

Clark & Elbing LLP

101 Federal Street
Boston, MA 02110

RECEIVED
CENTRAL FAX CENTER

SEP 23 2005

Telephone 617-428-0200

Facsimile 617-428-7045

617-428-7046

Date: September 23, 2005

To: Examiner Deborah Crouch
U.S. Patent and Trademark Office
Group Art Unit 1632

Facsimile No: 1-571-273-8300

From: Karen L. Elbing, Ph.D.
Reg. No. 35,238

Re: U.S. Patent Application Serial No. 09/988,115
EXPRESSION OF XENOGENOUS (HUMAN)
IMMUNOGLOBULINS IN CLONED, TRANSGENIC
UNGULATES
James M. Robl et al.
Filed November 16, 2001
Attorney Docket No.: 50195/008003
Customer No. 21559

Pages: 3, including cover page

Message: The following papers are attached:

Statement Regarding Biological Deposits

NOTICE: This facsimile transmission may contain confidential or privileged information intended for the addressee only. If you are not the addressee, be aware that any disclosure, copying, distribution, or use of the information is prohibited. If you have received this facsimile transmission in error, please call us at 617-428-0200 to arrange for its return at no cost to you.

RECEIVED
CENTRAL FAX CENTER

SEP 23 2005

PATENT
ATTORNEY DOCKET NO. 50195/008003Certificate of Transmission by Facsimile: Date of Transmission: September 23, 2005

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being transmitted by facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated above.

Mishel Horta

Printed name of person transmitting facsimile

Mishel O. Horta

Signature of person transmitting facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James M. Robl et al.

Art Unit: 1632

Serial No.: 09/988,115

Examiner: Deborah Crouch

Filed: November 16, 2001

Customer No.: 21559

Title: **EXPRESSION OF XENOGENOUS (HUMAN) IMMUNOGLOBULINS
IN CLONED, TRANSGENIC UNGULATES**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450STATEMENT REGARDING BIOLOGICAL DEPOSITS

Applicants thank Examiner Crouch for the interview of September 20, 2005 in connection with this case.

As requested by the Examiner and as required by 37 C.F.R. §§ 1.806 through 1.808, Applicants, through their representative, the undersigned, state that the Δ HAC and $\Delta\Delta$ HAC deposits referenced in the above-captioned application were deposited with the International Patent Organism Depository, National Institute of Advanced Industrial

Science and Technology, Tsukuba Central 6, 1-1, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken, 305-8566, Japan, by co-assignee, Kirin, under deposit numbers, FERM BP-7582, FERM BP-7581, and FERM BP-7583. These deposits were made under the rules of the Budapest Treaty and such deposits were accepted under the Budapest Treaty.

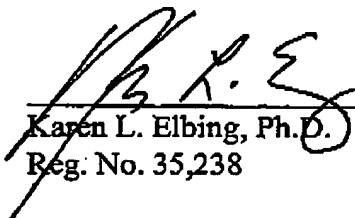
Further, Applicants state that the deposits shall be maintained and shall be made available for a term of at least thirty (30) years and at least five (5) years after the most recent request for the furnishing of a sample of the deposit received by the depository, and, in any case, beyond the enforceable life of a patent for which the deposit was made.

In addition, Applicants agree that any restrictions, other than those specified in 37 C.F.R. 1.808(b), imposed by the depositor on the availability of the deposits to the public will be irrevocably removed upon the granting of the patent on this application

No fees are believed to be due in connection with this submission, but, if there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 23 September 2005


Karen L. Elbing, Ph.D.
Reg. No. 35,238

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045